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REMARKS

Claims 1-15 are pending in the present Application. Claim 1 has been amended. Support for the amendment to Claim 1 may be found in paragraph [0006]. The Specification has been amended to correct certain typographical errors, as explained in detail below. No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Drawings

The Examiner has objected to the drawings under 37 CFR 1.83(a) and has requested corrected drawing sheets to be submitted. Applicants are confused by the Examiner's statement as no drawings were submitted with the filing. Although Applicants do not believe that drawings are required, Applicants are happy to provide them and amend the specification to describe them if the Examiner is of the opinion that drawings are necessary for greater clarity.

Claim Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 1-15 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the Specification in such a way as to reasonably convey to one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In making the rejection the Examiner has asserted that the claimed features have not been delineated in the Specification. In particular with regard to Claims 8 and 15, the Examiner has asserted that the specification fails to teach how to attain the claimed skin and string percentages. Applicants respectfully traverse this rejection.

Claim 1 is directed to a method for transporting plastic pellets comprising moving the pellets through a conduit having an inner surface with a sufficient topography to cause the pellets to tumble. As described in paragraph [0001] of the specification, plastic pellets tend to slide along the surface of a smooth transport pipe. In contrast, when the conduit has an inner topography sufficient to cause the pellets to tumble, i.e. has a topography comprising a groove, thread, protuberance, indentation or combination of two or more of these

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topographical features as taught in paragraph [0006], the pellets do not slide and hence do not form skins or strings. Claim 1 has been amended to more particularly point out and distinctly claim the topographical features. The size of the topographical features is discussed in paragraph [0007]. Therefore Applicants believe that the specification and claims clearly communicate the claimed invention, particularly to one of ordinary skill in the art.

With regard to the Examiner's rejection of Claims 8 and 15, Applicants assert that the Examples contain sufficient information for one of ordinary skill in the art to determine an appropriate conduit inner configuration to transport pellets wherein the transported pellets have less than 0.5 weight percent skins and strings. In the Examples, pellets of a poly(arylene ether)/polyamide blend are sent through a pipe having a spiral groove and the transported pellets have no skin or strings. The size of the pellets and the width of the groove are disclosed. This teaching, in combination with the other teachings in the specification with regard to the relevant variables, would readily enable one of ordinary skill in the art to determine the appropriate inner surface topography, temperature, and pellet size for a given resin composition without undue experimentation.

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 1-15 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner has requested that the claims be amended to indicate that "the bulk of, or substantially all pellets tumble" (Page 3). Applicants believe that the specification and claims were already sufficiently clear on this point but have amended as the Examiner suggested.

Claim 13 has additionally been rejected and the Examiner has requested that the reason for the temperature or it's intended use be included in the claim. Applicants respectfully assert that such an amendment is unnecessary as the claim, as written, is quite definite and reasons for a particular limitation are not required. If the Examiner elects to maintain the rejection Applicants respectfully request clarification of the basis for the rejection.

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Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1, 2, 4-5, and 9-11 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over U.S. Patent 4,932,513 to Michimae. Applicants respectfully traverse this rejection.

Michimae discloses a method and apparatus of transporting tires to a predetermined place by arranging the tires in a predetermined direction (Abstract). The Examiner has asserted that Michimae inherently discloses grooves, threads, protuberances, indentations, and tumbling articles. While the conveyor belt of Michimae may inherently have grooves, Applicants note that the tumbling articles in Michimae are the result of tires being thrown into the hopper (Col. 2, line 45) and the tumbling is not the result of the topography of the hopper. Michimae is directed to moving the tires in an orderly manner to a desired location and Michimae does not teach or suggest a conduit having an inner surface topography sufficient to make the tires tumble nor does Michimae teach or suggest moving pellets by any means.

Heimke is directed to fluidizing a powderous substance using a semi-lenticular chamber and a pressurized gaseous fluid (Col. 1, lines 48-64). Heimke solely discloses the movement of powder and does not teach or suggest a method of moving pellets. The Examiner has asserted that the movement of pellets would be obvious but the Applicants assert that the prior art does not provide any suggestion or incentive to modify either Michimae or Heimke to employ pellets, nor any reasonable expectation of success.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a *prima facie* case of obviousness, i.e., that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made.

In re Fine, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496

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(C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Furthermore, Applicants assert that Michimae and Heimke are non-analogous art. For the purposes of evaluating obviousness of claimed subject matter, the particular references relied upon must constitute "analogous art". *In re Clay*, 966 F.2d 656, 659, 23 U.S.P.Q.2d 1058, 1060-61 (Fed. Cir. 1992). The art must be from the same field of endeavor, or be reasonably pertinent to the particular problem with which the inventor is involved. *Id.* Due to considerations of weight, density, size, geometry and handling characteristics, the transportation of pellets is distinctly different than the transportation of powder (or for that matter, tires) and the concerns and considerations of Michimae and Heimke, when compared to the concerns and consideration of the pending application, make it clear that fields of endeavor are widely disparate and as such constitute non-analogous art.

Claim 1-4 and 9-11 stand rejected stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over U.S. Patent 1,058,431 to Hillard. Applicants respectfully traverse the rejection.

Hillard does not teach or suggest the transportation of pellets. In fact, Hillard is concerned with the transportation of sand and gravel in water after dredging. Applicants respectfully assert that the concerns surrounding the transportation of sand and gravel are wholly different than those surrounding the transportation of plastic pellets. As a result, the fields of endeavor are quite different and Hillard represents non-analogous art. In particular, Hillard is concerned with the settling of solid material whereas when transporting pellets the concern is not the settling of the pellets but rather the sliding of the pellets along the conduit wall. As a result, one of ordinary skill in the art would not look to a dredging apparatus for a teaching for the transportation of pellets. As can be readily appreciated, the physical characteristics and subsequent handling concerns of a sand and gravel slurry are significantly different than plastic pellets.

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It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 07-0862.

Respectfully submitted,

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